

Jack McClinton  
 Name P.O. Box 209 (S.D.C.C.)  
Indian Springs, NV 89070  
46873  
 Prison Number

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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Jack McClinton, )  
 Plaintiff, )  
 vs. )  
 Nevada, )  
 See Attached Legislature Counsel Members (Nevada), )  
 For Additional Chairman David Parks, Vice Chair, )  
 Defendants) Bernie Anderson, William Horne, )  
 "1-A" Kathy McCain, John Carpenter, )  
Valerie Weber, Director Howard Sholnik )  
 Defendant(s). Et. Al.)

3:08-CV-00580

CASE NO. \_\_\_\_\_  
 (To be supplied by the Clerk)

CIVIL RIGHTS COMPLAINT  
 PURSUANT TO  
 42 U.S.C. § 1983

(Jury Trial Demanded)

A. JURISDICTION

- 1) This complaint alleges that the civil rights of Plaintiff, Jack McClinton,  
 (Print Plaintiff's name)  
 who presently resides at Southern Desert Correctional Center (S.D.C.C.) were  
 violated by the actions of the below named individuals which were directed against  
 Plaintiff at Southern Desert Correctional Center (S.D.C.C.) on the following dates  
 (institution/city where violation occurred)  
July 1, 2007, July 1, 2007, and \_\_\_\_\_  
 (Count I) (Count II) (Count III)

Paid Amt \$ 350 Date 10/30/08

Receipt # 70020967 Initials KLO

United States District Court  
District Of Nevada

(2 of 2)

Jack McClinton,  
Plaintiff,

Vs.

Francis Allen,  
Morse Arberry,  
Kelvin Atkinson,  
David Bobzien,  
Barbara Buckley,  
Jerry Claborn,  
Marcus Conklin,  
Moises Denkin,  
Heidi Gansert,  
Susan Gerhardt,  
T. Grady,  
Joe Hardy,  
Joseph Hogan,  
Ruben Kihuen,  
Marilyn Kirkpatrick,  
Ellen Koivisto,  
Sheila Leslie,  
Garn Mabey,  
Mark Mansendo,  
John Marvel,  
Harry Mortenson,  
Harvey Munford,  
John Ocegueda,  
James Ohrenschall,  
Bonnie Parnell,  
Peggy Pierce,  
TICK Segerblom,  
Debbie Smith,  
Rose Mary Womack, et al.  
Defendant(s)

2). Defendants "Chairman David Parks"; Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, and is employed as "Legislature Counsel Members". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendants was Acting Under Color of Law: "Legislative Member", Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminating Under Color of Law...

3). Defendants "Vice Chairman Bernice Anderson"; Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, and is employed as "Legislature Counsel Members". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendants was Acting Under Color of Law: "Legislative Member", Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminating Under Color of Law...

4). Defendants "Assemblyman William Horns"; Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, and is employed as "Legislative Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendants was Acting Under Color of Law: "Legislative Member", Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminating Under Color of Law...

5). Defendants "Kathy McClain"; Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, and is employed as "Legislative Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendants was Acting Under Color of Law: Legislative Counsel Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminating Under Color of Law...

6). Defendants "Senateman John Carpenter"; Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, and is employed as "Legislative Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendants was Acting Under Color of Law: Legislative Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminating Under Color of Law...

7). Defendants "Senate Woman Valerie Weber"; Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, and is employed as "Legislative Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendants was Acting Under Color of Law: ☒

Continued of page (2)

This Legislative Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 Bill is Arbitrary, Bias, and Discriminating Under Color of Law.

8). Defendant(s) "Francis Allen", Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☒ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminating Under Color of Law.

9). Defendant(s) "Morse Arberry" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☒ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminating Under Color of Law.

10). Defendant(s) "Kelvin Atkinson", Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☒ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminating Under Color of Law.

11). Defendant(s) "David Bobzien", Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☒ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminating Under Color of Law.

12). Defendant(s) "Barbara Buckley", Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☒ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: "Legislature Counsel Member", Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminating Under Color of Law.

- 13). Defendant(s) "Jerry Claborn" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant(s) was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminating Under Color of Law.
- 14) Defendant(s) "Marcus Conklin" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant(s) was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminating Under Color of Law.
- 15) Defendant(s) "Moises Denis" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND Is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminating Under Color of Law.
- 16). Defendant(s) "Heidi Gansert" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND Is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant(s) was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminating Under Color of Law.
- 17). Defendant(s) "Susan Gerhardt" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND Is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. Explain how these defendant(s) was Acting Under Color of Law: Nevada Legislature member, Passed and Supported A.B. 510 Bill that is Not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminating Under Color of Law.



- 18) Defendant(s) "T. Grady" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both) Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminatory Under Color of Law.
- 19) Defendant(s) "Joe Hardy" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both) Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminatory Under Color of Law.
- 20) Defendant(s) "Joseph Hogan" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both) Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminatory Under Color of Law.
- 21) Defendant(s) "Ruben Kihuen" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both) Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminatory Under Color of Law.
- 22) Defendant(s) "Marilyn Kirkpatrick" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. Explain how these defendant was Acting Under Color of Law: Nevada Legislature member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminatory Under Color of Law.

- 23) Defendant "Ellen Koivisto" Resides at 401 S Carson Street, Carson City, Nevada 89701-4747, And is employed as "Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminatory Under Color of Law.
- 24) Defendant "Shirley Lissitz" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, And is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminatory Under Color of Law.
- 25) Defendant "GARY Mabeu" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, And is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminating Under Color of Law.
- 26) Defendant "Mark Monendo" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, And is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminating Under Color of Law.
- 27) Defendant "John Marvel" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, And is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. Explain how these defendant was Acting Under Color of Law: Nevada Legislature member, Passed and Supported A.B. 510 Bill that is Not Equally Applied towards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminating Under Color of Law.

- 28) Defendant(s) "Harry Mortenson" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant(s) was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied forwards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminatory Under Color of Law.
- 29) Defendant(s) "Harvey Munford" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant(s) was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied forwards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminatory Under Color of Law.
- 30) Defendant(s) "John Ocegueda" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant(s) was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied forwards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminating Under Color of Law.
- 31) Defendant(s) "James Ohrenschoff" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant(s) was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is Not Equally Applied forwards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminating Under Color of Law.
- 32) Defendant(s) "Bonnie Parnell" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Counsel Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. Explain how these defendant(s) was Acting Under Color of Law: Nevada Legislature member, Passed and Supported A.B. 510 Bill that is Not Equally Applied forwards Inmates; The passing of A.B. 510 Is Arbitrary, Bias, AND Discriminating Under Color of Law.



- 33) Defendant "Peggy Pierce" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Legislature Council Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminatory Under Color of Law.
- 34) Defendant "Dick Segeblom" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Council Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminatory Under Color of Law.
- 35) Defendant "Debbie Smith" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Council Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminatory Under Color of Law.
- 36) Defendant "Rose Mary Homack" Resides at 401 S. Carson Street, Carson City, Nevada 89701-4747, AND is employed as "Nevada Legislature Council Member". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how these defendant was Acting Under Color of Law: Nevada Legislature Member, Passed and Supported A.B. 510 Bill that is not Equally Applied towards Inmates; The passing of A.B. 510 is Arbitrary, Bias, and Discriminatory Under Color of Law.
- 37) Defendant "Howard Skolnik" Resides at P.O. Box 711, Carson City, Nevada 89702, AND is employed as "Director of Nevada Dept. of Corrections". This defendant is sued in his/her ☒ Individual ☐ Official Capacity. (Check one or both). Explain how this defendant was Acting Under Color of Law: This defendant, in his Individual Capacity, and Official Capacity had first hand knowledge before the A.B. 510 Bill was passed, that it was Arbitrary, Bias, and Discriminatory towards Inmates under his care, AND Under Color of Law.
- 38) Jurisdiction is Involved pursuant to 28 U.S.C. § 1343(A)(3) AND 42 U.S.C. § 1983... IF you wish to assert jurisdiction under different OR Additional Statutes, list them below: Pursuant to 28 U.S.C. § 1343(A)(3); 28 U.S.C. § 1331; Declaratory Relief 28 U.S.C. 2202; Plaintiff Claims →

FOR INJUNCTIVE RELIEF ARE AUTHORIZED BY 28 U.S.C. 2283 & 2284 AND RULE 65 OF FEDERAL RULES OF CIVIL PROCEDURE; THE COURT HAS SUPPLEMENT JURISDICTION OVER PLAINTIFF'S STATE LAW CLAIMS UNDER 28 U.S.C. 1367; 42 U.S.C. SECTION 1985; 42 U.S.C. SECTION 1991; 42 U.S.C. 1983; 42 U.S.C. SECTION 1984; 42 U.S.C. SECTION 1988; 28 U.S.C. SECTION 1920; 28 U.S.C. SECTION 1918; 28 U.S.C. SECTION 1915; CIVIL RIGHTS ACT OF 1964; 18 U.S.C. SECTION 241-242...

### B. NATURE OF THE CASE

ON JULY 1, 2007, NEVADA LEGISLATURE MEMBERS PASSED A NEW A.B. 510 BILL; AND PLAINTIFF WAS EXCLUDED FROM THE BILL. THE A.B. 510 BILL WAS RETROACTIVE BACK TO CRIMES COMMITTED ON OR AFTER JULY 1, 1997; TO WHERE PLAINTIFF WAS ARRESTED, BOOKED, AND CHARGED UNDER THE OLD LAW, IN DECEMBER OF 1994. THE RETROACTIVE CUT-OFF DATE IS ARBITRARY, BIAS, AND DISCRIMINATING TOWARDS PLAINTIFF; AND VIOLATES PLAINTIFF'S DUE PROCESS RIGHTS, CONDITIONS OF CONFINEMENT, EQUAL PROTECTION RIGHTS, EQUAL TREATMENT RIGHTS, AND TO BE FREE FROM CRUEL AND UNUSUAL PUNISHMENT, AS WELL AS VIOLATES PLAINTIFF'S LIBERTY INTEREST, FEDERAL LAW; ALL INMATES ARE TO BE TREATED EQUALLY UNDER COLOR OF LAW...

### C. CAUSE OF ACTION COUNT I.

THE FOLLOWING CIVIL RIGHTS HAS BEEN VIOLATED: EX-POST FACTO, 1<sup>ST</sup>, 8<sup>TH</sup>, AND 14<sup>TH</sup> AMENDMENT TO THE UNITED STATES CONSTITUTION DUE PROCESS...

SUPPORTING FACTS: INCLUDE ALL FACTS YOU CONSIDER IMPORTANT. STATE THE FACTS CLEARLY IN YOUR OWN WORDS, AND WITHOUT CITING LEGAL AUTHORITY OR ARGUMENT. BE SURE YOU DESCRIBE EXACTLY WHAT EACH SPECIFIC DEFENDANT(S) (BY NAME) DID TO VIOLATE YOUR RIGHTS...

"ALL" OF NEVADA LEGISLATURE COUNSEL MEMBERS (DEFENDANTS) NAMED IN THIS CIVIL RIGHTS COMPLAINT; DAVID PACHS, BERNIE ANDERSON, WILLIAM HORNE, KATHY MCCLAIN, JOHN CARPENTER, VALERIE WEBER, FRANCIS ALLEN, MORSE ARBERY, KELVIN ATKINSON, DAVID BOBZICH, BARBARA BUCKLEY, JERRY CLABORN, MARCUS CONKLIN, MOISSE DENKLIN, HEIDI GANSERT, SUSAN GERHARDT, T. GRADY, JOE HARDY, JOSEPH HOGAN, RUBEN KIHVEN, MARILYN KIRKPATRICK, ELLEN KOIVISTO, SHEILA LESTIE, GARN MABEY, MARK MANENDO, JOHN MARVEL, HARRY MORTENSON, HARVEY MUNFORD, JOHN OCEGUERA, JAMES OHENSCHALL, BONNIE PARNELL, PEGGY PIERCE, TICK SEGRAEHLIN, DEBBIE SMITH, ROSEMARY WOMACK; "ALL" HAS NEGLECTED THEIR DUTIES, BY PASSING A NEW LAW (A.B. 510) THAT IS ARBITRARY, GOING RETROACTIVE BACK TO JULY 1, 1997, EXCLUDES PLAINTIFF OF GOOD TIME CREDIT DAYS UNDER THE NEW (A.B. 510) BILL; WHICH INCREASES THE AMOUNT OF GOOD TIME CREDIT DAYS →

AN Inmate could earn while incarcerated and or on parole. Just like any other Inmate; Plaintiff have a right to a fair and equitable process by which Nevada Legislature enacts laws impacting Plaintiff's liberty rights... Plaintiff's liberty interest relative to the amount of Good Time Credit Days; Good Time Credit Days is directly relevant to receiving parole, and or expiring his sentence... Plaintiff's liberty is equally protected; even when the liberty itself is a statutory creation of the State Legislature. Plaintiff's Due Process is protection of the individual against arbitrary action of government; Plaintiff have been arbitrarily denied his liberty interest, The 2007 Nevada Legislature of (A.B. 510 Bill), There is no articulated State Interests in arbitrarily denying Plaintiff the benefits of (A.B. 510) 2007 Nevada Legislature Bill; and in doing so; The Nevada Legislature (Defendants) has abridged Plaintiff's Due Process Rights Under the Fourteenth Amendment to the United States Constitution...

Howard Sholnik; by him being the Director of Nevada Dept. of Corrections; had first-hand knowledge of inmates that was sentenced before (1997) in his care, knowingly that the (A.B. 510) Bill was arbitrary, bias, and discriminating towards inmates under his care, in which makes him reliable...

## COUNT II.

The following Civil Rights has been violated: 6<sup>th</sup>, 8<sup>th</sup>, and 14<sup>th</sup> Amendment To the United States Constitution, Equal Protection...

Supporting Facts: (Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant(s) (by name) did to violate your rights).

"All" of Nevada Legislature Counsel Members (Defendants) named in this Civil Rights Complaint; David Parks, Bernie Anderson, William Horne, Kathy McClain, John Carpenter, Valerie Weber, Francis Allen, Morse Arberry, Kelvin Atkinson, David Bobzien, Barbara Buckley, Jerry Claborn, Marcus Conklin, Heidi Gansert, Susan Gerhardt, T. Gandy, Joe Hardy, Joseph Hagan, Ruben Kihuen, Marilyn Kieckpatrick, Ellen Koivisto, Sheila Leslie, Gary Mabey, Mark Manendo, John Marvel, Harry Mortenson, Harvey Munford, John Osgreen, James Ohrenschoff, Bonnie Parnell, Peggy Pierce, Tien Segerblom, Debbie Smith, Rosemary Womack, Moises Dunklin; "All" of Nevada Legislature Members, Did Not Apply the 2007 (A.B. 510) Bill law, Equally to all individuals inmates, Failure to afford Plaintiff similar relief provided by the 2007 Nevada Legislature A.B. 510 Bill, would be inequitable and denial of Plaintiff's right to Equal Protection, Equal treatment, Under the Eight Amendment →

To the United States Constitution... Plaintiff has been Intentionally treated differently from others similarly situated and that there is No rational basis for the difference in treatment; The Equal Protection Clause prohibits a state legislature from Affording one Inmate, the retroactive benefits while Denying it to another. Once a state legislature has established a law, It must be Applied evenhandedly; In which Nevada Legislature Members (Defendants) has failed to do... Plaintiff, Is entitled to earn Good Time Credit Days for good behavior at the same rate as other Inmates who receive the A.B. 510 Bill Law.

### COUNT III

The following civil rights has been violated: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Supporting Facts:** [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

[illegible]

#### **D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF**

- 1) Have you filed other actions in state or federal courts involving the same or similar facts as involved in this action? \_\_\_\_ Yes ✓ No. If your answer is "Yes", describe each lawsuit. (If more than one, describe the others on an additional page following the below



outline).

- a) Defendants: \_\_\_\_\_
- b) Name of court and docket number: \_\_\_\_\_
- c) Disposition (for example, was the case dismissed , appealed or is it still pending?):  
\_\_\_\_\_  
\_\_\_\_\_
- d) Issues raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e) Approximate date it was filed: \_\_\_\_\_
- f) Approximate date of disposition: \_\_\_\_\_

- 2) Have you filed an action in federal court that was **dismissed because it was determined to be frivolous, malicious, or failed to state a claim upon which relief could be granted?**  
\_\_\_ Yes ☒ No. If your answer is "Yes", describe each lawsuit. (If you had more than three actions dismissed based on the above reasons, describe the others on an additional page following the below outline.)

Lawsuit #1 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: \_\_\_\_\_
- b) Name of court and case number: \_\_\_\_\_
- c) The case was dismissed because it was found to be (check one): \_\_\_ frivolous  
\_\_\_ malicious or \_\_\_ failed to state a claim upon which relief could be granted.
- d) Issues raised: \_\_\_\_\_  
\_\_\_\_\_
- e) Approximate date it was filed: \_\_\_\_\_
- f) Approximate date of disposition: \_\_\_\_\_

Lawsuit #2 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: \_\_\_\_\_
- b) Name of court and case number: \_\_\_\_\_

- c) The case was dismissed because it was found to be (check one): \_\_\_\_\_ frivolous  
 \_\_\_\_\_ malicious or \_\_\_\_\_ failed to state a claim upon which relief could be granted.
- d) Issues raised: \_\_\_\_\_  
 \_\_\_\_\_
- e) Approximate date it was filed: \_\_\_\_\_
- f) Approximate date of disposition: \_\_\_\_\_

Lawsuit #3 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: \_\_\_\_\_
- b) Name of court and case number: \_\_\_\_\_
- c) The case was dismissed because it was found to be (check one): \_\_\_\_\_ frivolous  
 \_\_\_\_\_ malicious or \_\_\_\_\_ failed to state a claim upon which relief could be granted.
- d) Issues raised: \_\_\_\_\_  
 \_\_\_\_\_
- e) Approximate date it was filed: \_\_\_\_\_
- f) Approximate date of disposition: \_\_\_\_\_

- 3) Have you attempted to resolve the dispute stated in this action by seeking relief from the proper administrative officials, e.g., have you exhausted available administrative grievance procedures? \_\_\_\_ Yes ☒ No. If your answer is "No", did you not attempt administrative relief because the dispute involved the validity of a: (1) \_\_\_\_ disciplinary hearing; (2) \_\_\_\_ state or federal court decision; (3) \_\_\_\_ state or federal law or regulation; (4) \_\_\_\_ parole board decision; or (5) \_\_\_\_ other CASEWORKER IN HOUSING UNIT.
- If your answer is "Yes", provide the following information. Grievance Number \_\_\_\_\_
- Date and institution where grievance was filed \_\_\_\_\_

Response to grievance: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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**E. REQUEST FOR RELIEF**

I believe that I am entitled to the following relief:

Plaintiff seeks \$10,000 per defendant for the Neglect of the Written  
Law, and the Violation of Plaintiff's Civil Rights; In Addition Plaintiff  
Seeks \$10,000 per defendant<sup>for</sup> punitive Damages, I.E. Mental Anguish, Pain  
and Suffering, Emotional Distress; AND Additional Time spent Incarcerated  
without being credited the A.B. 510 Law ... Plaintiff Also seeks the  
Immediate Enactment of the A.B. 510 Law, to ensure the same and  
Equal Treatment as other Inmates ...

I understand that a false statement or answer to any question in this complaint will subject me to penalties of perjury. I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT. See 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

\_\_\_\_\_  
(Name of Person who prepared or helped  
prepare this complaint if not Plaintiff)

Jack McClintock  
(Signature of Plaintiff)

10/16/2008  
(Date)

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(Additional space if needed; identify what is being continued)